

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

77-4115

BEFORE THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

INTERCONEX, INC.,

Petitioner,

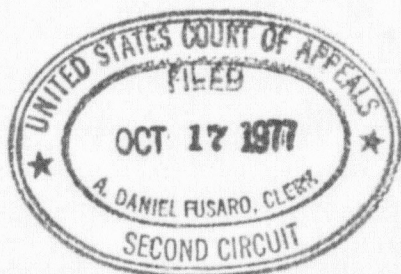
v.

FEDERAL MARITIME COMMISSION
AND THE UNITED STATES OF
AMERICA,

Respondents.

Docket No. 77-4115

EXHIBIT NO. 1 OF PETITIONER, INTERCONEX, INC.



SANDRA G. BEHRLE
Austrian, Lance & Stewart, P.C.

JOSIAH K. ADAMS, JR.

GEORGE F. GALLAND
ROBERT L. McGEORGE
DALE C. ANDREWS
Galland, Kharasch, Calkins & Short
Attorneys for Interconex, Inc.

October 17, 1977

B
P/S

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
INTERCONEX, INC.,

Plaintiff,

- against -

UNITED STATES LINES,

Defendant.
-----X

:
:
: 77 Civ. 2700 (RO)
:
:

: STIPULATION OF DISMISSAL
:
:

IT IS HEREBY STIPULATED by and between the under-
signed, counsel for the parties heret, that the above-captioned
action shall be and hereby is dismissed and such dismissal shall
be with prejudice, without costs to either party.

DATED: New York, New York
September 14, 1977

JOSIAH K. ADAMS, ESQ.
and
GALLAND, KHARASCH, CALKINS & SHORT, ESQS.

By Josiah K. Adams (S)
Attorneys for Plaintiff,
Interconex, Inc.
630 Fifth Avenue
New York, New York 10020
(212) 489-9500

KIRLIN, CAMPBELL & KEATING, ESQS.

By James Higgins
(A Member of the Firm)
Attorneys for Defendant,
United States Lines
120 Broadway
New York, New York 10005
(212) 732-5520

SO ORDERED:

U.S.D.J.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----X
INTERCONEX, INC.,

Petitioner,

- against -

FEDERAL MARITIME COMMISSION and
THE UNITED STATES OF AMERICA,

Respondents.
-----X

:
:
:
:
:
:
:

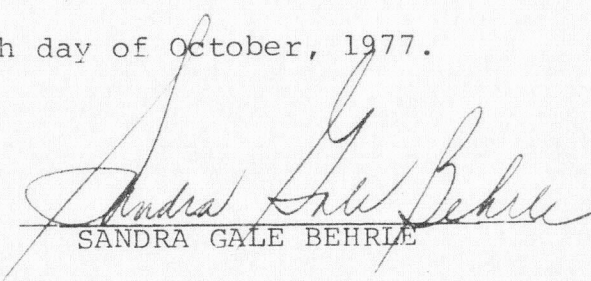
Docket No. 77-4115

CERTIFICATE OF
SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

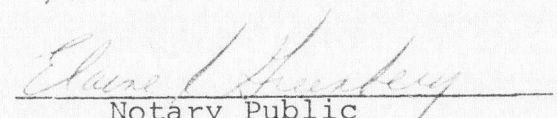
SANDRA GALE BEHRLE, being duly sworn, deposes
and says:

1. I hereby certify that the joint Appendix
and Exhibit No. 1 of Petitioner, Interconex, Inc. were
served on each of the parties of record by First Class
Mail, postage prepaid this 17th day of October, 1977.


SANDRA GALE BEHRLE

DATED: New York, New York
October 17, 1977

Sworn to before me this
17th day of October, 1977.


Notary Public

ELAINE R. GREENBERG
NOTARY PUBLIC, STATE OF NEW YORK
NO. 41-367209
QUALIFIED IN QUEEN'S COUNTY
COMMISSION EXPIRES MARCH 30, 1979

STATE OF NEW YORK, COUNTY OF

ss.:

The undersigned, an attorney admitted to practice in the courts of New York State,

☐ Certification
By Attorney

certifies that the within
has been compared by the undersigned with the original and found to be a true and complete copy.

☐ Attorney's
Affirmation

shows: deponent is

the attorney(s) of record for

in the within action; deponent has read the foregoing
and knows the contents thereof; the same is

true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief,
and that as to those matters deponent believes it to be true. This verification is made by deponent and not by

The grounds of deponent's belief as to all matters stated upon deponent's knowledge are as follows:

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated:

.....
The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF

ss.:

being duly sworn, deposes and says: deponent is

☐ Individual
Verification

the

in the within action; deponent has read

the foregoing
deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and as
to those matters deponent believes it to be true.

☐ Corporate
Verification

the

of

a

corporation,

in the within action; deponent has read the

foregoing
and knows the contents thereof; and the same
is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and
belief, and as to those matters deponent believes it to be true. This verification is made by deponent because
is a corporation and deponent is an officer thereof.

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

Sworn to before me on

19

.....
The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF

ss.:

being duly sworn, deposes and says: deponent is not a party to the action,

is over 18 years of age and resides at

☐ Affidavit
of Service
By Mail

On

19

deponent served the within

upon

attorney(s) for

in this action, at

the address designated by said attorney(s) for that purpose
by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in — a post office — official
depository under the exclusive care and custody of the United States Postal Service within the State of New York,

☐ Affidavit
of Personal
Service

On

19

at

deponent served the within

upon

herein, by delivering a true copy thereof to h personally. Deponent knew the
person so served to be the person mentioned and described in said papers as the therein.

Sworn to before me on

19

.....
The name signed must be printed beneath

Index No. 77-4115

Year 19

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT

INTERCONEX, INC.,

Petitioner,

v.

FEDERAL MARITIME COMMISSION
and THE UNITED STATES OF
AMERICA,

Respondents.

CERTIFICATE OF SERVICE

AUSTRIAN, LANCE & STEWART, P.C.

Attorneys for Petitioner

Office and Post Office Address, Telephone

630 Fifth Avenue

Rockefeller Center

NEW YORK, N. Y. 10020

489-9500

To

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

.....

Attorney(s) for